**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO.176 OF 2007
IN
INCOME TAX APPEAL LODG. NO.2773 OF 2006

The Commissioner of Income Tax-2. ..Petitioner.
Vs.
M/s. Rohit Pulp & Paper Mills Ltd. ..Respondent.

Mrs. P.P. Bhosale for the Petitioner.

Mr. S.P. Mehta for the Respondent.

**CORAM : F.I. REBELLO &**
**R.S. MOHITE, JJ.**
**DATED : 3RD DECEMBER,2007.**

PC :

1. As the tax incidence is less than Rs.4/- lacs, the learned counsel seeks to withdraw the Notice of motion and the appeal. The Motion and appeal are allowed to be withdrawn and dismissed as withdrawn. Refund of court fee as per rules. Certified copy expedited.

**( F.I. REBELLO, J.)**

**(R.S. MOHITE, J. )**